



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2308022  
**Applicant Name:** Garrett Birkeland  
**Address of Proposal:** 9310 Stone Avenue North

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into five (5) lots (Unit Lot Subdivision). Proposed lot sizes are: A) 1,253 square feet, B) 747.4 square feet, C) 991.5 square feet, D) 1,383.5, and E) 1,297.1 square feet. Related projects: establish use, demolish an existing single family residence, and construct two townhouse structures, MUP No. 2306533.

The following approval is required:

**Short Subdivision** - to subdivide one existing parcel into five lots as a unit subdivision.  
(Chapter 23.24.046, Seattle Municipal Code).

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or  
involving another agency with jurisdiction.

**BACKGROUND**

Site Description

The approximately 5,672 square foot property is located on Stone Avenue North in the Licton Springs area of Seattle. Pedestrian and vehicle access to the site is from Stone Avenue North along the west property boundary. A platted alley forms the east property boundary but is not used for this parcel and the surrounding parcels due to steep grade changes running north to south along the alley and adjacent property boundaries.

The subject lot and all surrounding lots are zoned Multi-Family Lowrise 3 (L3). Surrounding development consists mainly of multi-family structures, although the neighborhood contains some single-family structures. These developments are consistent with the Land Use Code.

### Proposal

The proposal is to subdivide one parcel into five (5) unit lots. The parent parcel is 5,672 square feet in area. The proposed lot sizes are: A) 1,253 square feet, B) 747.4 square feet, C) 991.5 square feet, D) 1,383.5 square feet, and E) 1,297.1 square feet. Pedestrian and vehicle access to all proposed lots will be from Stone Avenue North along the west property boundary and through a joint access easement to be recorded with the approved plat. All townhouse units will have parking within their respective structures. The proposed new structures containing proposed Unit Lots A, B and C and Unit Lots D and E have been reviewed and approved for applicable code compliance under MUP No. 2306533.

### Public Comments

The comment period for this proposal ended on December 24, 2003. No comment letters were received.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing tree;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the, the Structural Reviewer the Drainage Section, the Fire Department, Seattle Public Utilities, City Light, and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for Multi-Family Lowrise 3 (L-3) use and all development must conform to the requirements of the applicable provisions of the Seattle Municipal Code (SMC). These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. The establishment of use for the townhouses and their construction was reviewed under these provisions and approved and permitted under MUP No. 2306533.

The allowable density of the subject property is one dwelling unit per eight-hundred (800) square feet of lot area. The lot area is approximately 5,672 square feet, hence seven (7) units are allowed. Maximum lot coverage is fifty (50) percent (SMC 23.45.010.A.1). Total lot coverage of the proposed structures was reviewed for conformance with this requirement and approved under MUP No. 2306533. Required parking for all units is provided on site and is accessed through an easement extending from Stone Avenue North. Pedestrian access to all units from both the Stone Avenue North for the street facing units and from the join access easement for the two units at the rear of the parent parcel. Building set-backs, height limitations, and the provision of open space were reviewed for conformance to the development codes for this zone and were approved under the above mentioned MUP.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Vehicle access for all units is provided through the join access easement extending into the parcel from Stone Avenue North.

All utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement (#260431-4-048) to provide for electrical facilities and service to the proposed lots, which must be included on the final plat. (Attachment A)

The Seattle Fire Department has reviewed and approved the proposed unit lot subdivision for the provision of adequate emergency vehicle and personnel access.

To assure adequate address identification of Unit Lots D and E from Stone Avenue North, address signage for these Unit Lots shall be posted on the access easement where it meets the right of way along Stone Avenue North. A covenant shall be recorded with the final plat to ensure that the address signage is maintained.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

Review for drainage and sanitary sewage disposal indicates these services are adequately provided for this unit lot subdivision.

Seattle Public Utilities has reviewed this proposal and assures water availability access provided a five (5) foot easement is recorded across the proposed Ingress, Egress, and Utility Easement for service to Unit Lots D and E (Water Availability Certificate # 2003-1292) (Attachment B).

4. *Whether the public use and interests are served by permitting the proposed division of land;*

Unit Lot Subdivision allows for the subdivision of common wall (attached) ground related townhouse structures. Ground related townhouse structures are allowed outright in the L-3 zone. This process therefore makes possible separate ownership of individual units that otherwise would be owned by one party and consequently some or all units would be available on a rental basis only.

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code for L-3 development regulations and the applicable approval criteria for short platting.

The public use and interests are thereby served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240, therefore this criterion does not apply.

6. *Is designed to maximize the retention of existing trees;*

There are no trees on the lot. Street trees will be required to be planted in the planting strip along Stone Avenue North according to Seattle Transportation Tree Planting Standards (SMC 23.45.015.A.4). There is no on site tree planting requirement for new development in an L-3 zone.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Two townhouse structures, one with three units, the other with two units, were approved under MUP 2306533. Pursuant to SMC 23.24.045(A and B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards at the time of approval. To assure that future owners have constructive notice that additional development may be limited due to nonconformities the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

Summary

The proposed Unit Lot Subdivision meets the criteria of SMC 23.24.040 and 045, Short Plats and Unit Lot Subdivisions. Pursuant to the above discussion and the following conditions, it is thereby approved.

**DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

**CONDITIONS - SHORT SUBDIVISION**

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Submit the final recording forms for approval and any necessary fees.
2. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
3. Provide a covenant assuring the posting of address signage for Unit Lots D and E in the Ingress, Egress and Utility Access Easement shown on the face of the plat or other convenient and appropriate location visible from the street.

Signature: (signature on file) Date: February 23, 2004  
Art Pederson, Land Use Planner  
Department of Planning and Development  
Land Use Services